

## MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JULY 19, 1982

## PRESENT:

Grant S Nielson	Mayor
Max Bennett	Council Member
Don Bird	Council Member
Don Dafoe	Council Member
Ruth Hansen	Council Member
Willis Morrison	Council Member

## OTHERS PRESENT:

Vance Bishop	City Administrator
Warren Peterson	City Attorney
Dorothy Jeffery	City Recorder
John Quick	City Engineer
Pat Davies	City Clerk
Jim Fletcher	KNAK
Dan Davis	Phylis Davis
Clinton Tolbert	Gilbert Trujillo
Glen Swalberg	Lola Burraston
Dean Harris	Sid Mortenson
Janice Mortenson	Loy Crapo
Jack Fowles	Max Farbman
Paul Fowles	James Dreyfus
Jules Dreyfus	

Mayor Nielson called the meeting to order at 8:10 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio station KNAK, and to each member of the governing body by personal delivery of copies of the Notice and Agenda two (2) days before to each of them.

MINUTES

The Minutes of a Public Hearing held July 12, 1982 were presented to the Council. Councilman Willis Morrison MOVED to accept the minutes as corrected. Councilman Don Bird SECONDED the motion which carried unanimously. Minutes of a Regular City Council meeting held July 12, 1982 were presented to the Council. Council Member Willis Morrison MOVED and Councilman Max Bennett SECONDED the motion to accept the minutes as corrected.

ACCOUNTS PAYABLE

The accounts payable were presented to the Council members by Dorothy Jeffery, City Recorder. After the review, Councilman Max Bennett MOVED and Councilman Don Bird SECONDED the motion to pay the current accounts due.

RESOLUTION AUTHORIZING ISSUANCE OF INDUSTRIAL REVENUE BONDS FOR CEDAR INN OF DELTA

City Attorney Warren Peterson explained to those present the revisions to and the details of the Resolution. Mr. Peterson said that as an official with the City, Mr. Jack Fowles, an owner of an interest in the company requesting the IRB, would have to make a disclosure of his interest in the Cedar Development Company. Mr. Fowles stated that he owns 31% of the Cedar Development Co. and that he is also Chairman of the Delta City Planning and Zoning Commission. Mr. Fowles said that he was willing to resign his position from the Commission, if the City Council decides there is a conflict of interest. He further stated that he would write a letter to Attorney Peterson detailing his vested interests in the Cedar Development Company. Mr. Peterson advised that the letter should be submitted to the Mayor in form that would comply with the Municipal Officers and Employees Disclosure Act

Mr. Peterson recommended approval of the resolution by the City Council. Councilman Don Dafoe MOVED to adopt Resolution #82-76 entitled:

A RESOLUTION AUTHORIZING AND APPROVING THE ISSUANCE AND SALE BY THE CITY OF DELTA, MILLARD COUNTY, UTAH OF ITS INDUSTRIAL DEVELOPMENT REVENUE BONDS (CEDAR INN OF DELTA PROJECT) SERIES 1982 IN THE AGGREGATE PRINCIPAL AMOUNT OF \$390,000, THE EXECUTION AND DELIVERY OF DOCUMENTS AND INSTRUMENTS IN CONNECTION THEREWITH AND RELATED MATTERS.

Council Member Ruth Hansen SECONDED the motion and the Mayor asked for a vote.

The vote was as follows:

Max Bennett	Aye
Willis Morrison	Abstain
Don Dafoe	Aye
Don Bird	Abstain
Ruth Hansen	Aye

DEL PARK ANNEXATION PHASE II

Attorney Peterson apologized to those associated with the issue for not being ready with the proper documents. He said that the Council needed to make a decision on how park dedication would be handled in the annexation so that he could complete the work. The Council members engaged in discussion on park dedication, problems with streets, water dedication, park location, and whether to combine the park dedication properties or to keep the two parks separate. A majority of the council members agreed to keep the parks separate and the location as shown on the plat map and that the Council would deal with the park dedication issue when the final plat is presented for approval.

CENTRAL BUSINESS ZONE EXPANSION PROPOSAL

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There was discussion on the following:

1. The small size of many of the lots in the area.
  2. Restrictions on multiple family dwellings in the CB zone.
  3. The possibility of owners combining properties.
  4. The fact that new multiple family dwellings would not be permitted in the CB zone.
  5. The need for more area to be made available for CB use.
  6. The problems for a city when the CB area is extended too far.
  7. The possibility that businesses will have to go outside the city because of the apparent unavailability of Central Business property.
- Council Member Morrison MOVED and Councilman Bird SECONDED to table. The motion carried unanimously.

#### ZONE CHANGE REQUEST ON BLOCK 25

Mayor Nielson mentioned that the public hearing on this proposal had been held earlier in the evening. The City Attorney suggested that the request to amend to future land use map be enlarged for the following reasons: areas of property available for development, adequate street service in the neighborhood for high density development, new water and sewer lines in the area are suited for high density development. Council Member Ruth Hansen MOVED to have city staff prepare an ordinance regarding the request of Delta Investments and further moved to recommend to Planning and Zoning that an amendment be made to the future land use map to change from R-1 to R-4. Councilman Dafoe SECONDED the motion which carried unanimously.

#### HURRICANE SAND & GRAVEL

City Engineer John Quick reviewed the request from Hurricane Sand & Gravel for payment on this months work. There was discussion on the progress made on the project and some of the expenses incurred. Councilman Don Bird MOVED to make the payment to Hurricane Sand & Gravel of \$53,760.31. Councilman Max Bennett SECONDED the motion which carried in the affirmative.

#### BIDS: GARBAGE DUMP

City Administrator Vance Bishop reported the situation with the city dump. He said that Mr. Wydell Jeffery had cleaned up the dump and has it ready for someone else to take over. He said that 2 bids had been made, one from Dutson Supply for \$2,000.00 per month for 6 months and one from Hale Jeffery for \$2,800.00 per month for 1 year. The Council Members, the Mayor, the Administrator and the Attorney discussed the dump problem at length. It was mentioned that negotiation probably would not be effective at this point. Councilman Dafoe MOVED that the bid from Dutson Supply be accepted and that an attempt be made to adjust the amount downward. Councilman Bennett SECONDED the motion which carried unanimously.

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DRAINAGE STUDY PROPOSAL: JOHN QUICK

City Engineer John Quick reviewed a proposal from Bush & Gudgell on a Delta City storm drain master plan. Mr. Bishop suggested that a study of the drainage system of the whole city needs to be done. Councilman Willis Morrison MOVED to authorize Bush & Gudgell to do a complete study on the basis of John Quick's presentation. Councilman Don Dafoe SECONDED the motion which carried unanimously.

POLICE CARS: POLICE DEPARTMENT

Chief Roy Wood presented estimates on new police cars which he had obtained from Keith Dalton Motor and Riding Ford. The estimated costs were:

LTD: \$9,428.00  
Impalla: \$10,996.00

Fairmont: \$8,856.00  
Malibu: \$11,106.00

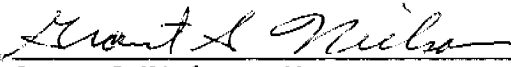
There was discussion on retiring some old police cars and transferring equipment from the old cars to the new ones. Councilman Max Bennett MOVED that bids be let for 3 police cars. The motion was SECONDED by Councilman Don Bird and carried unanimously.


OTHER BUSINESS

There was discussion on the following:

1. Progress on the Western Union proposal.
2. Railroad cars parked in Delta City.
3. Parking problems around City Park.
4. Enforcement of the nuisance ordinance.

Councilman Bird MOVED and Councilman Bennett SECONDED to adjourn the meeting. All agreed. Mayor Nielson adjourned the meeting at 11:35.

  
Grant S Nielson, Mayor

  
Dorothy Jeffery, Recorder